

REMARKS

This response is being filed with a Request for Continued Examination (RCE).

Based on this amendment, the applicant respectfully requests that the rejections set forth in the Final Office Action mailed June 28, 2010, be withdrawn.

The applicant respectfully submits that each objection and rejection raised has been appropriately resolved herein. Each rejection is addressed below, proceeded by a heading similar to that found in the Office Action.¹

Claims 10-13, 15-16 and 32-44 are pending in this application. Claims 10-13, 15-16 and 32-37 have been rejected. In this response, Claims 10, 32, 34-36, 38, 39, 44 have been amended and Claims 11 and 33 have been cancelled. No new matter has been added.

Applicant wishes to note that the previously newly added claims 39-44 were not addressed by the Examiner in the present Final Office action. Applicant respectfully requests that the Examiner examine these claims in review of this Response.

Reconsideration and withdrawal of the rejections in the Final Office Action dated June 28, 2010, are respectfully requested in view of the remarks below.

35 U.S.C. § 103(a) Rejections

Independent claims 10, 34, and 38

The Examiner has rejected independent claims 10, 34, 38 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Roberts et al., (U.S. Patent No. 6,101,486,

¹ Silence regarding the position taken, or argument made, by the Examiner does not indicate any acquiescence to that position or argument. Furthermore, arguments made by the applicants with respect to a particular claim or claims apply only to those claim or claims, and not to other claims or patents/applications, unless specifically noted herein.

hereinafter "Roberts") and Gilmour et al., (U.S. Patent No. 6,421,669, hereinafter "Gilmour"). Applicant respectfully disagrees.

THE REFERENCES, ALONE OR IN COMBINATION, LACK CLAIMED ELEMENTS

The method in the now-amended version of claim 10, recites a method for "enabling a second user to permit a first user to add to, an electronic phonebook of the first user, contact information of the second user."

The claimed method, among other features, includes "**providing, by the second user, to the first user, a link or URL**, clickable by the first user via a user device, the link or URL **referencing a web application for updating the electronic phonebook**; wherein **the link or URL includes a unique identifier uniquely associated with the second user** and used for accessing the contact information of the second user; ...; in response to detection of the selection or click of the link or URL, **invoking the web application for updating electronic phone book** referenced by the link or URL; identifying the contact information of the second user based on the unique identifier that is uniquely associated with the second user; **adding the contact information of the second user to the electronic phonebook of the first user.**" (emphasis added)

Roberts and Gilmour, when viewed individually or in combination do not teach at least, the above-emphasized subject matter of independent claim 10.

Regarding claim 10, the Final Office Action, in establishing its rejection, points to Col. 2 lines 50-57 and Col. 5 lines 15-25 of Roberts.

However, the cited sections in Roberts, are limited to describing processes by which **customer profile information is collected** when a customer accesses a company's website and how such information is **used to customize web pages** displayed on the customer's computer terminal.

For example, in Roberts,

"Another method, consistent with this invention, for customizing a website in accordance with user profile information includes several steps. Initially, a plurality of user identification data is received and used to create a user profile. The user profile is retrieved from a profile database when a call from the user is received. Thereafter, the user profile is compared to marketing material maintained by the company and a dynamic content message is generated. A webpage is configured for display by inserting the dynamic content message into the webpage." (Col 2 lines 50-59)

"When the identification information is received from the user, it is logged and stored by web browser 120 (Step 310). Web Browser 120 logs the customer's input operations using a "cookie" or other information logging techniques...the cookie may log the customer's passive activity (i.e., time spent viewing a particular web page...) to gather information about the customer's interest." (Col 5 lines 15-24)

In fact, Roberts' disclosure as a whole is merely concerned with "retrieving customer information at a transaction center (Roberts, Title)", and thus as explicitly stated in the Abstract of Roberts', such that "a customer representative can provide real-time updates to the customized webpage when the customer contacts a customer service representative to place a product or service order (Roberts, Abstract)."

For example, in Carleton,

".... By automatically collecting customer profile information when the customer accesses a company's website... The dynamic content messages are selected in accordance with the profile information to present customized webpages for display on the customer's computer terminal." (Col 2 lines 31-41)

Thus, Roberts, in the cited portions and when further considered as a whole, is only concerned with gathering customer profile information such that the site can better customize the webpage for the customer. Roberts, in the cited portions and as a whole,

are unrelated to and make no mention of a process to enable "a second user to permit a first user to add to, an electronic phonebook of the first user, contact information of the second user," as stated in the preamble of claim 10.

Roberts makes no mention of a user updating their electronic phone book; more specifically, Roberts makes no mention of a user updating an electronic phone book with "the contact information of a second user" based on "a link or URL referencing a web application for updating an electronic phonebook" provided to the user by "the second user", as claimed.

In conclusion, since Roberts does not teach, or disclose a process which enables "a second user to permit a first user to add to, an electronic phonebook of the first user, contact information of the second user", Roberts also fails to teach the other claimed features, including, at least: "providing, by the second user, to the first user, a link or URL, clickable by the first user via a user device, the link or URL referencing a web application for updating the electronic phonebook; wherein the link or URL includes a unique identifier uniquely associated with the second user and used for accessing the contact information of the second user; ...; in response to detection of the selection or click of the link or URL, invoking the web application for updating electronic phone book referenced by the link or URL; identifying the contact information of the second user based on the unique identifier that is uniquely associated with the second user; adding the contact information of the second user to the electronic phonebook of the first user," as recited in independent claim 10.

Gilmour was cited for alternate subject matter recited in claim 1 and also does not cure at least the deficiency of Roberts as set forth above.

Overall, none of the applied references, singly or in any motivated combination, disclose or suggest the features recited in Claim 10, and thus Claim 10 is allowable. Independent claims 34 and 38 recite similar/same features and are thus also allowable based on at least the above-stated reasons.

The withdrawal of rejections under 35 U.S.C. § 103(a) is respectfully requested for Claims 1, 34, and 38.

Dependent Claims

Claims 12-13, 15-16, 32 and 35-37, which depend from claims 10 and 34, are allowable at least for depending from an allowable base claim, and potentially for other reasons as well.

Since the dependent claims are allowable for the reasons provided above, a specific discussion of the prior art associated only with rejections of the dependent claims is not necessary for the purpose of overcoming the rejections. Applicant's silence regarding the applicability of any particular reference should not be taken as agreement with, or acquiescence to, any particular rejection. Applicant respectfully requests that the Examiner re-evaluate the rejections.

The withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully requested for claims 12-13, 15-16, 32 and 35-37.

The Examiner has appeared to omit the examination of dependent claims 39-44 added in the previous response. These claims depend from the allowable base claim 38, and are thus allowable for this reason, and potentially for others as well.

No Disclaimers or Disavowals

Although this communication may include changes to the application or claims, or characterizations of claim scope or referenced art, the applicant is not conceding that previously pending claims are not patentable over the cited references; instead, any changes or characterizations are being made to facilitate expeditious prosecution of this application. Thus, the applicant reserves the right to later pursue any previously pending claims, or other broader or narrow claims, that capture any subject matter supported by this application, including subject matter that might be found disclaimed herein or by any earlier prosecution. Accordingly, anyone reviewing of this or any parent, child, or related prosecution history shall not reasonably infer that the applicant has disclaimed or disavowed any subject matter supported by this application.

CONCLUSION

Based upon the above amendments and remarks, applicant respectfully requests reconsideration of this application and its early allowance.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at (650) 838-4306 to arrange for such a conference.

Please charge any deficiencies or credit any overpayment to our Deposit Account No. 50-0665, under Order No. 418268646US from which the undersigned is authorized to draw.

Dated: September 28, 2010

Respectfully submitted,

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